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2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Memorandum of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean

1. Pursuant to the decisions on background documentation adopted by the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Secretary-General of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) presents a memorandum regarding the Agency's activities related to the Treaty that have taken place since the 2010 Review Conference.

Control system of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and regional and external activities of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean

Compliance with obligations established by the control system of the Treaty of Tlatelolco

2. Under article 14 of the Treaty of Tlatelolco, contracting parties are obliged to submit semi-annual reports to OPANAL stating that no activity prohibited under the Treaty has occurred in their respective territories. The dates of the latest reports submitted by OPANAL member States are shown in annex I.

3. The Secretary-General will continue to encourage all contracting parties to submit their reports twice a year, in compliance with article 14 of the Treaty.

4. While article 24 is not strictly part of the control system, it is another important obligation of States parties. Under article 24, States are required to inform the Agency of any international agreement concluded by them on matters with which the Treaty is concerned. Unlike article 14, article 24 does not establish a specific periodicity for States to submit their reports in this regard (see annex II).

Community of Latin American and Caribbean States

5. Since the Community of Latin American and Caribbean States (CELAC) was created in Caracas on 3 December 2011, the Heads of State and Government of

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Latin American and Caribbean countries have given great importance to the region's political stand on nuclear disarmament. On the occasion of the establishment of CELAC, they issued a special communique on the total elimination of nuclear weapons, in which they confirmed that Latin America and the Caribbean was proud to be the first densely populated area in the world to be declared a nuclear-weapon-free zone, by means of the Treaty of Tlatelolco (see para. 2 of the statement, contained in A/66/647, annex).

6. In the final declaration of the first CELAC Summit, held in Santiago on 27 and 28 January 2013, the Heads of State and Government of Latin American and Caribbean countries reaffirmed the commitment of their States to the Treaty on the Non-Proliferation of Nuclear Weapons and their support for the conclusion of legally binding instruments that would lead to effective, irreversible and verifiable nuclear disarmament (see A/67/842, annex, para. 47).

7. One year later, in the final declaration of the second CELAC Summit, held in Havana on 28 and 29 January 2014, the Heads of State and Government of Latin American and Caribbean countries reaffirmed the importance of the collaboration and cooperation between CELAC and OPANAL, the specialized body in the region for articulating common positions and joint actions on nuclear disarmament (see para. 72 of the declaration, contained in A/68/914, annex). During the summit, a special declaration on nuclear disarmament was issued, in which the Heads of State and Government of Latin American and Caribbean countries also reaffirmed the importance of the link and cooperation between CELAC and OPANAL, the specialized regional body to harmonize a common stance, and of the joint work to achieve nuclear disarmament (see para. 25).

8. In the political declaration of the third CELAC Summit, held in Belén, Costa Rica, on 28 and 29 January 2015, the Heads of State and Government of Latin American and Caribbean countries reiterated that complete, transparent, irreversible and verifiable nuclear disarmament was an important goal of CELAC States and that the only effective guarantee against the use or threat of use of nuclear weapons was their total elimination and prohibition. In that context, the States members of CELAC supported the negotiation of a universal, legally binding instrument proscribing nuclear weapons with a multilaterally agreed timetable. As they had done at the second Summit, States adopted, at the third Summit, a special declaration on nuclear disarmament, this one specifically on the urgent need for a nuclear-weapon-free world, in which it was reiterated that OPANAL was the specialized body of CELAC for nuclear disarmament.

External relations of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean

9. OPANAL has maintained relations with several international organizations and civil society organizations. The Agency has participated in the general debate of the First Committee of the General Assembly of the United Nations. The Secretary-General of OPANAL, Luiz Filipe de Macedo Soares, is advocating that OPANAL join a relevant panel during the thematic discussion of the First Committee. Moreover, he has taken part in the sessions of the Preparatory Committee and will be at the Review Conference to be held in April and May 2015.

10. As requested, the secretariat has provided information for inclusion in the reports of the United Nations Secretary-General on topics related to the work of OPANAL.

11. OPANAL has actively participated in and promoted the three conferences of the States parties and signatories to treaties that establish nuclear-weapon-free zones and Mongolia, the first two of which were coordinated by Mexico (2005) and Chile (2010), respectively.

12. OPANAL has maintained its important relationship with the International Atomic Energy Agency (IAEA), as provided for in articles 13 and 19 of the Treaty of Tlatelolco. In 2011, the former OPANAL Secretary-General, Gioconda Ubeda Rivera, participated in the IAEA event entitled "Forum on experience of possible relevance to the creation of a nuclear-weapon-free zone in the Middle East", held in Vienna on 21 and 22 November. In 2012, the Director General of IAEA, Yukiya Amano, participated in the OPANAL international seminar entitled "The experience of the nuclear-weapon-free zone in Latin America and the Caribbean and the perspective towards 2015 and beyond", held in Mexico City on 14 and 15 February.

13. Furthermore, on 16 June 2011, the former OPANAL Secretary-General participated in the plenary meeting of the Conference on Disarmament in Geneva and the current Secretary-General is planning to participate in March 2015.

14. Over the past five years, OPANAL Secretaries-General have also participated in several seminars and workshops on nuclear disarmament and non-proliferation organized by the ministries of foreign affairs and other institutions of the following member States: Argentina, Brazil, Chile, Costa Rica, Ecuador, Mexico, Peru and Uruguay.

15. OPANAL has maintained close relations with the Organization of American States (OAS). In 2010, the former OPANAL Secretary-General attended the thirty-ninth special session of the OAS General Assembly. Pursuant to OAS General Assembly resolution AG/RES. 2624 (XLI-O/11), entitled "Consolidation of the regime established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)", the contents of which are adopted by the Committee on Hemispheric Security on a regular basis, OPANAL Secretaries-General addressed the Committee in 2013 and 2014.

16. The Agency has also held bilateral meetings with the Secretary of the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials and the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization. All those high-profile representatives, together with the High Representative for Disarmament Affairs of the United Nations, participated in the international seminar mentioned in paragraph 12 above.

17. Concerning OPANAL relations with civil society organizations, since 2010 OPANAL Secretaries-General have met with representatives from organizations such as: Mayors for Peace, Parliamentarians for Nuclear Non-Proliferation and Disarmament, Soka Gakkai International, Non-Proliferation for Global Security Foundation, International Campaign to Abolish Nuclear Weapons, Global Security Institute, Global Consortium on Security Transformation and World Future Council Foundation.

18. On 23 October 2013, the Treaty of Tlatelolco was chosen among 24 nominated policies as the winner of the 2013 Future Policy Gold Award presented by the World Future Council Foundation, the Office for Disarmament Affairs of the Secretariat and the Inter-Parliamentary Union.

19. OPANAL continues to promote interactive relations with several academic institutions, including the James Martin Center for Non-proliferation Studies of the Monterey Institute for International Studies and the Latin American Institute for Educational Communication, as well as various universities in Latin American countries.

Views, positions and resolutions of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean concerning matters related to the Treaty for the Non-Proliferation of Nuclear Weapons and to the Final Document of the 2010 Review Conference of the Parties to the Treaty, with special reference to actions contained in the section entitled "Conclusions and recommendations for follow-on actions" (NPT/CONF.2010/50 (Vol. I))

I. Nuclear disarmament

Actions 3-6: qualitative improvement of nuclear weapons

20. During its twenty-third regular session, held in Buenos Aires on 21 and 22 August 2013, the General Conference of OPANAL adopted resolution CG/Res.563, entitled "Urgent need for general and complete nuclear disarmament", in which it demanded the cessation of the development and qualitative improvement of nuclear weapons (para. 4).

21. In October 2014, during the sixty-ninth session of the United Nations General Assembly, the Permanent Representative of Ecuador to the United Nations in New York circulated the declaration of the States members of OPANAL on the occasion of the International Day for the Total Elimination of Nuclear Weapons, in which the States members called upon nuclear-weapon States to cease the development of new types of nuclear weapons (see A/C.1/69/2, annex, para. 4).

Actions 3-7: legally binding instrument prohibiting nuclear weapons

22. Also in that declaration, the States members of OPANAL affirmed the pressing need to begin negotiations for the prompt conclusion of a universal and legally binding instrument prohibiting the possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use of nuclear weapons and providing for their destruction in a transparent, irreversible and verifiable manner under a multilaterally agreed timetable (ibid., para. 2).

Action 5: article VI of the Treaty on the Non-Proliferation of Nuclear Weapons

23. In their 2011 declaration, the States members of OPANAL noted that it was a responsibility of all States, particularly of nuclear-weapon States, from whom improvements were expected in their commitment to accelerate concrete progress on measures aimed to achieve nuclear disarmament, established in Measure 5 of the Final Document of the 2010 Review Conference, towards a full entry into force of the provisions of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (see A/C.1/66/2, annex, para. 20).

Action 5 (c): role of nuclear weapons in security policies

24. The States members of OPANAL, in their 2014 declaration, called upon all States, in particular nuclear-weapon States, to eliminate the role of nuclear weapons in their doctrines, security policies and military strategies (see A/C.1/69/2, annex, para. 3).

Security assurances

Actions 6-7: Conference on Disarmament

25. In its resolution CG/Res.563 of 22 August 2013, entitled "Urgent need for general and complete nuclear disarmament", the OPANAL General Conference urged the Conference on Disarmament to demonstrate the necessary political will in order to ensure the commencement without delay of substantive work through the adoption and implementation of a balanced and comprehensive programme of work that advances the agenda of nuclear disarmament (para. 7).

Actions 7-8: threat or use of nuclear weapons

26. In their 2011 declaration, the States members of OPANAL reaffirmed that the use of or threat to use nuclear weapons is a violation of the Charter of the United Nations and a crime against humanity (see A/C.1/66/2, annex, para. 4).

Action 9: negative security assurances

27. In that same declaration, the States members of OPANAL affirmed that it is a legitimate interest of non-nuclear-weapon States to be given unequivocal, legally binding guarantees from nuclear-weapon States not to use or threaten to use such weapons against them (ibid., para. 5).

Action 9: interpretative declarations of nuclear-weapon States to additional protocols to the Treaty of Tlatelolco

28. On 8 December 2010, during its sixty-fifth session, the General Assembly of the United Nations adopted, without a vote, its resolution 65/40, entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)". In that resolution, the Assembly encouraged States that had ratified the relevant Protocols to the Treaty of Tlatelolco to review any reservations in that regard, in accordance with action 9 of the Final Document of the 2010 Review Conference (para. 3).

29. On 5 December 2013, the General Assembly adopted its resolution 68/26, which has the same title and the same content as resolution 65/40.

30. In a press release issued on 26 June 2014, OPANAL member States welcomed the signature of the Protocol to the Treaty of the Nuclear-Weapon-Free Zone in Central Asia by the five nuclear-weapon States in New York on 6 May 2014. Moreover, they expressed the view that it was essential, for the full consolidation of nuclear-weapon-free zones, that nuclear-weapon States sign the protocols to the treaties on such zones. In that respect, they also expressed the view that any restrictions to the terms and scope of such protocols would be detrimental to the goal and purpose of those treaties.

Action 9: establishment of permanent bodies in nuclear-weapon-free zones

31. In their 2011 declaration, the States members of OPANAL called upon all other nuclear-weapon-free zones to consider the establishment of permanent bodies similar to the ones created by the Treaty of Tlatelolco and the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) (see A/C.1/66/2, annex, para. 10).

Action 9: establishment of additional nuclear-weapon-free zones

32. In that same declaration, the States members of OPANAL stated that they expected progress in the creation of new nuclear-weapon-free zones, such as the ones suggested in North-East Asia and the Middle East (ibid., para. 13).

Nuclear testing

Action 10: Comprehensive Nuclear-Test-Ban Treaty

33. Also in that same declaration, the States members of OPANAL reiterated their demand for the binding cessation of all nuclear-weapon-test explosions, as well as the need to achieve universal adhesion to the Comprehensive Nuclear-Test-Ban Treaty from all nuclear-weapon States in particular, and the States mentioned in annex 2 of the Treaty (ibid., para. 17).

34. On 12 January 2012, Guatemala ratified the Comprehensive Nuclear-Test-Ban Treaty, becoming the thirty-first State member of OPANAL to do so. Cuba and Dominica have neither signed nor ratified it yet; however, because they are not listed in annex 2 of the Treaty, they do not represent an obstacle to its entry into force.

35. In April 2013, the OPANAL Council, in its resolution C/Res.55, reiterated its strongest condemnation against the conduct of any nuclear tests anywhere in the world (para. 1). It also exhorted the Government of the Democratic People's Republic of Korea to rejoin the Treaty on the Non-Proliferation of Nuclear Weapons as non-nuclear-weapon State, and to adopt without delay a moratorium on nuclear-test explosions or any other nuclear explosions (para. 2).

Other measures in support of nuclear disarmament

Action 19: cooperation with other existing nuclear-weapon-free zones

36. At its twenty-third regular session, held in Buenos Aires on 21 and 22 August 2013, the General Conference of OPANAL adopted its resolution CG/Res.554, entitled "Strategic agenda of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean", in which it expressed the view that cooperation with other nuclear-weapon-free zones, relevant international organizations and instances of civil society was indispensable for implementing concrete measures towards nuclear disarmament.

37. The General Assembly of the United Nations, in its resolution 65/40, encouraged OPANAL member States to continue its activities and efforts with a view to implementing the agreements reached at the first and second conferences of States parties and signatories to treaties that establish nuclear-weapon-free zones" (para. 4).

II. Nuclear non-proliferation

Action 26: non-proliferation of nuclear weapons

38. All 33 States members of OPANAL are contracting parties to the Treaty on the Non-Proliferation of Nuclear Weapons and have concluded their specific safeguards agreements with IAEA, thereby complying with article III of the Treaty on the Non-Proliferation of Nuclear Weapons and article 13 of the Treaty of Tlatelolco.

III. Peaceful uses of nuclear energy

Action 47: peaceful uses of nuclear energy

39. In their 2014 declaration, the States members of OPANAL reaffirmed the inalienable right of all States, in conformity with the Treaty on the Non-Proliferation of Nuclear Weapons, to develop research, production and use of nuclear energy for peaceful purposes without discrimination (see A/C.1/69/2, annex, para. 6).

Excerpt from the statement by the Secretary-General of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean delivered at the third session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Four issues could concentrate the attention of next year's Conference.

The first is the reinforcement of the zones, for which it is essential that the zones exchange information about their peculiar situations and the problems they face.

The second concerns the question of negative security assurances, which are crucial for the zones. Their member States have assumed legally binding assurances vis-à-vis all the other States, including the nuclear-weapon States. It is morally, politically and legally indispensable that a reciprocal undertaking in the form of a treaty be accepted by nuclear-weapon States.

A third and urgent issue is the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East. No one can ignore the obstacles that the States in the region face to achieving this universally desired goal. Let us not use the obstacles as an excuse to not make progress in that direction.

When, some 50 years ago, Latin American and Caribbean countries started the negotiation of what came to be the Treaty of Tlatelolco, the political conditions and the strategic situation in our region, including the impact on it of the cold war's competing superpowers, could not have been more adverse to such an endeavour. In a large part of the region, the prevailing political regimes and the low level of confidence among many States were not conducive to a strategic understanding among them.

Annex I

Status of compliance with article 14 of the Treaty of Tlatelolco

Member State	*Reports received by the first half of 2010*	*Reports received by the second half of 2014*
Antigua and Barbuda	30 June 1995	31 January 2015
Argentina	30 June 2010	30 June 2014
Bahamas	30 June 2010	30 June 2010
Barbados	31 December 1984	31 December 1984
Belize**		30 June 2014
Bolivia	30 June 2009	15 November 2011
Brazil	30 June 2010	31 December 2014
Chile	31 December 2009	31 December 2013
Colombia	30 June 2010	30 June 2014
Costa Rica	30 June 2009	22 July 2014
Cuba	30 June 2010	31 December 2014
Dominica	12 June 2010	16 August 2013
Dominican Republic	31 December 1999	29 March 2013
Ecuador	30 June 2010	30 June 2014
El Salvador	30 June 2009	30 June 2014
Grenada	30 June 1981	31 January 2014
Guatemala	30 June 2009	31 December 2013
Guyana*		15 December 2014
Haiti	30 June 1996	31 December 2013
Honduras	31 December 1989	31 December 1989
Jamaica	30 June 2010	31 December 2013
Mexico	30 June 2010	31 December 2014
Nicaragua	30 June 2005	31 December 2013
Panama	30 June 2001	30 June 2011
Paraguay	30 June 1998	1 July 2013

Member State	*Reports received by the first half of 2013*	*Reports received by the second half of 2014*
Peru	30 June 2008	31 December 2013
Saint Kitts and Nevis*		30 June 2014
Saint Lucia*		25 July 2013
Saint Vincent and the Grenadines	31 December 2007	31 July 2014
Suriname	31 December 1993	30 June 2011
Trinidad and Tobago	31 December 2005	24 July 2013
Uruguay	30 June 2008	30 June 2014
Venezuela	31 December 2009	31 December 2013

* Complied with article 14 for the first time in 2012.

** Complied with article 14 for the first time in 2013, when finally all Member States had sent their reports.

Annex II

Status of compliance with article 24 of the Treaty of Tlatelolco

Member State	*Reports received by 16 February 2014*
Antigua and Barbuda*	3 February 2015
Argentina*	22 October 2014
Bahamas	10 May 2007
Barbados	10 April 1984
Belize	
Bolivia*	23 November 2011
Brazil	23 September 2013
Chile	25 February 2005
Colombia*	2 April 2014
Costa Rica	
Cuba*	8 January 2014
Dominica*	12 September 2012
Dominican Republic	7 August 1987
Ecuador	25 August 2014
El Salvador	22 September 2010
Grenada	13 September 1980
Guatemala	2 December 2010
Guyana	16 September 2010
Haiti	31 July 1973
Honduras	8 November 2010
Jamaica	9 August 2013
Mexico	31 December 2014
Nicaragua	27 August 2010
Panama	4 February 1986
Paraguay*	1 July 2013
Peru	20 January 2014

Member State	*Reports received by 16 February 2014*
Saint Kitts and Nevis*	6 June 2014
Saint Lucia*	25 July 2013
Saint Vincent and the Grenadines	
Suriname	16 September 2010
Trinidad and Tobago	25 July 2013
Uruguay*	1 September 2011
Venezuela*	14 January 2014

* Complied with article 24 for the first time between November 2010 and February 2015.